

Attorney Docket No. 2060.3

PATENT

IN THE UNITED STATES RECEIVING OFFICE (RO/US)

In re Application of:  
Hiroyuki Fujimura, et al

U.S. Application No. 10/540,464

International Application No. PCT/JP2003/016553

International Filing Date: December 24, 2003

Priority Date: December 25, 2002

For: DIAMOND-COATED SILICON AND ELECTRODE

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371 IN THE DO/EO/US**

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In reply to the "Notification Of Missing Requirements  
Under 35 U.S.C. 371 In The DO/EO/US" dated December 19, 2005,  
attached hereto please find:

1. Fee Transmittal form (in duplicate);
2. Confirmation No. 2774 Formalities Letter;
3. a completely executed "Combined Declaration and  
Power of Attorney;" and

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450, on **January 6, 2006.**

01/12/2006 LLANDGRA 00000020 082447 10540464

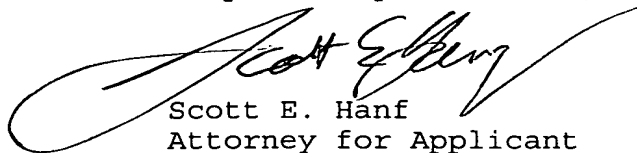
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Janice B. Davis

4. a completely executed Assignment of the invention  
and application to Ebara Corporation and Recordation Form.

Please have the Assignment recorded.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott E. Hanf", with a large, sweeping flourish extending from the end of the signature.

Scott E. Hanf  
Attorney for Applicant  
Reg. No. 38,906

Customer No. 29494  
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**Complete if Known**

Application Number	10/540,464
Filing Date	June 23, 2005
First Named Inventor	Hiroyuki Fujimura
Examiner Name	
Art Unit	
Attorney Docket No.	2060.3

TOTAL AMOUNT OF PAYMENT (\$)  
170.00**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 08-2447 Deposit Account Name: Robert H. Hammer III, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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_____ - 20 or HP = _____	x	_____	=	_____
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HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
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_____ - 3 or HP = _____	x	_____	=	_____
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HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**


If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x	250.00	= 0.00

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Declaration Surcharge; Recordation of Assignment**Fees Paid (\$)**170.00**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	38,906	Telephone	704-927-0400
Name (Print/Type)	Scott E. Hanf	Date	January 6, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,464	Hiroyuki Fujimura	2060.3

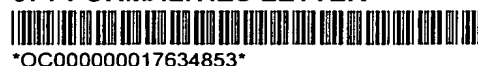
29494  
ROBERT H. HAMMER III, P.C.  
3125 SPRINGBANK LANE  
SUITE G  
CHARLOTTE, NC 28226

RECEIVED DEC 12 2005

*File Missing Parts*  
*2/19/06*

INTERNATIONAL APPLICATION NO.	
PCT/JP03/16553	
I.A. FILING DATE	PRIORITY DATE
12/24/2003	12/25/2002

CONFIRMATION NO. 2774  
371 FORMALITIES LETTER



\*OC000000017634853\*

Date Mailed: 12/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/23/2005
- Copy of the International Search Report filed on 06/23/2005
- Preliminary Amendments filed on 06/23/2005
- Information Disclosure Statements filed on 11/21/2005
- Request for Immediate Examination filed on 06/23/2005
- U.S. Basic National Fees filed on 06/23/2005
- Priority Documents filed on 06/23/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,464	PCT/JP03/16553	2060.3